

As an attorney who practices in the area of First Amendment law, I do not see any way in which the constitutionality of this kind of content-based restriction can possibly be upheld. Even if satellite radio is subject to FCC regulation based on the "scarce frequency" canard, the type of speech that is sought to be silenced does not fall within any of the recognized exceptions to the First Amendment, e.g. obscenity, defamation, false advertising, etc. Indeed, unlike the "indecent" speech that the FCC is currently seeking to regulate, the kind of speech that is the target of this bill is the most innocuous kind of speech imaginable--weather reports. This is not even so-called "commercial" speech. Please reject this attempt by special interests to regulate and censor harmless, constitutionally protected speech.